



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

January 21, 2022

BY ECF AND EMAIL

The Honorable Edgardo Ramos
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Neil Cole*, 19 Cr. 869 (ER)

Dear Judge Ramos:

The Government writes to inform the Court that it intends to seek a retrial with respect to the open counts in this matter (Counts Two through Nine). The Government respectfully requests that the Court hold a scheduling conference at the Court's earliest convenience in order to set a firm retrial date and establish any related pretrial deadlines.

The Government further requests that the Court exclude time under the Speedy Trial Act between January 21, 2022 and the date of the status conference in order to permit the Government and the defense to discuss their respective schedules so that the parties are prepared to propose potential retrial dates to the Court at the status conference. The Government submits that the ends of justice served by the requested exclusion outweigh the interests of the public and the defendant in a speedy retrial of the open counts. *See* 18 U.S.C. §§ 3161(e), 3161(h)(7). The defendant opposes the requested exclusion.

Respectfully submitted,

DAMIAN WILLIAMS
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By: _____ /s/
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cc: Counsel for Neil Cole (by ECF)